

Remarks

Claims 1, 6, 7 and 46-48 have been amended.

The Examiner has rejected applicant's claims 1-11, 13-21 and 46-48 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. In particular, the Examiner has argued that the "amendments 'an evaluation step of evaluating the extracted partial base sequence based on a predetermined evaluation criteria and obtaining an evaluation result thereof' (claim 1) and 'gives a larger weight' (claim 7) are considered new matter."

In order to avoid this rejection, applicant has amended claims 1 and 7 as above set forth. More particularly, the evaluation step of claim 1 is now recited as the evaluation step of calculating specificity of the extracted partial base sequence among the plurality of target sequences, evaluating suitability as a probe of the extracted base sequence based on the calculated specificity and obtaining an evaluation result thereof. This recitation is supported by the description in applicant's specification at page 18, lines 3-23, and pages 19-21, as noted by the Examiner. Also, the relationships between the plurality of target base sequences and the base sequence to be examined is described and shown in applicant's FIG. 14 (base sequence data to be examined 1410 and target base sequence data 1411).

Claim 7, in turn, now recites that the evaluation step comprises introducing an evaluation function which multiplies a change in the entropy by a weight which reduces as distance from the center of a partial base sequence corresponding to the desired node increases. This recitation is supported by the description at page 19, line 25, through page 20, line 10, of applicant's specification.

Accordingly, applicant submits that applicant's claims 1-11, 13-21 and 46-48, as amended, are supported by an enabling disclosure and thus satisfy the requirements of 35 USC § 112, first paragraph.

The Examiner has also rejected applicant's claims 7 and 46-48 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. With respect to claim 7, the Examiner has argued that the language "larger weight" makes the claim indefinite. Similarly, with respect to claims 46-48, the use of the terminology "realizing" or "realize" makes the respective claim unclear.

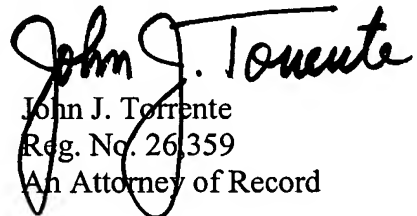
In order to overcome this rejection, claim 7 has been amended to delete the language "larger than" , and claims 46-48 have been amended to replace the terms "realizing" and "realize" with the terms --performing-- and --perform--. With these changes, applicant's claims 7 and 46-48 are now believed to particularly point out and distinctly claim the subject matter which applicant regards as the invention, in compliance with the provisions of 35 U.S.C. § 112, second paragraph.

In view of the above, it is submitted that applicant's claims, as amended, now meet all formal requirements and are in condition for allowance. Accordingly, reconsideration of the claims is respectfully requested.

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Respectfully submitted,


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